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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/926,436	01/18/2002	Steven Spicer	T8466295US	4258
26912	7590	02/04/2005	EXAMINER	
GOWLING LAFLEUR HENDERSON LLP COMMERCE COURT WEST, SUITE 4900 TORONTO, ON M5L 1J3 CANADA			GEREZGIHER, YEMANE M	
			ART UNIT	PAPER NUMBER
			2144	

DATE MAILED: 02/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/926,436	Applicant(s) SPICER ET AL.	
	Examiner Yemane M Gerezgiher	Art Unit 2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 January 2002.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-4 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 01/18/2002 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/04/02, 06/17/02</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This application has been examined. Claims 1-4 are pending.

Priority

2. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Canada on 03/01/2000. It is noted, however, that applicant has not filed a certified copy of the application as required by 35 U.S.C. 119(b).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Grantges (U.S. Patent Number 6,324,648).

As per claim 1, *a proxy server located logically outside the enterprise firewall for receiving application data from the network terminals;* (See Figure 1, Column 5 Lines 58-67: Grantges

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disclosed a proxy server logically located outside a firewall of an enterprise network) and a polling server located logically behind the enterprise firewall, the polling server being configured for polling the proxy server to initiate transmission of the received application data from the proxy server to the polling server. (See Figure 1: Grantges disclosed an application gateway having therein a proxy server for polling request messages originated from a client terminal in a public network and an enterprise server logically located behind the firewall of the enterprise network).

As per claim 3, polling a proxy server located logically outside the enterprise firewall for requests for communication with the network resources; (See ABSTRACT, Figure 1 and Column 5 Lines 58-67: Grantges disclosed a DMZ proxy server located outside a firewall of an enterprise network transmitting messages/requests destined to gain access of the network resources located in a secured private network through the firewall to the gateway polling the application requests) receiving application data and associated network resource data from the proxy server in response to the polling step; and directing the application data to one of the network resources in accordance with the associated network resource data. (See Figure

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1: Grantges disclosed an application gateway having therein a proxy server for polling request messages originated from a client terminal in a public network and an enterprise server logically located behind the firewall of the enterprise network).

As per claims 2 and 4, Grantges disclosed "alias" (URL) identifying the application server resource and further the application including "alias" (additional identifier of a specific function such as "/billing" implying an application involving billing information and where the "polling server" (application gateway having therein a proxy server for polling request messages) and directing the received application request to the appropriate resource accordingly. See Column 7 Lines 1-8, Column 10 and Lines 32-54).

Conclusion


5. The prior art made of record (Form PTO-892) and not relied upon is considered pertinent to Applicant's disclosure.

6. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Yemane Gerezgiher whose telephone number is (571) 272-3927. The examiner can normally be reached on Monday- Friday from 9:00 AM to 6:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful. The examiner's supervisor, William Cuchlinski, can be reached at (571) 272-3925.

Yemane M. Gerezgiher
Patent Examiner
AU: 2144


WILLIAM A. CUCHLINSKI, JR.
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600